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| TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) & 1.97(c)) | | | | Docket No. 12073.5 | |
| In Re Application Of: Michael J. Pratt et al. | | | | | |
| Application No. | Filing Date | Customer No. | Group Art Unit | Confirmation No. | |
| 10/824,894 | April 15, 2004 | Unassigned | 21999 | 3636 | 7574 |
| Title: ERGONOMIC ROCKER | | | | | |
| Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | | | | | |
| 37 CFR 1.97(b) | | | | | |
| 1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114. | | | | | |
| 37 CFR 1.97(c) | | | | | |
| 2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of: | | | | | |
| <div style="margin-left: 40px;"> <input type="checkbox"/> the statement specified in 37 CFR 1.97(e); </div> | | | | | |
| OR | | | | | |
| <div style="margin-left: 40px;"> <input type="checkbox"/> the fee set forth in 37 CFR 1.17(p). </div> | | | | | |

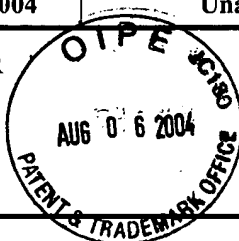
TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
12073.5

In Re Application: **Michael J. Pratt et al.**

| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|----------------|------------|--------------|----------------|------------------|
| 10/824,894 | April 15, 2004 | Unassigned | 21999 | 3636 | 7574 |

ERGONOMIC ROCKER



Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **500843** as described below.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

Certificate of Transmission by Facsimile*

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| I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. _____) |
| _____ (Date) |
| _____ Signature |
| _____ Typed or Printed Name of Person Signing Certificate |

Certificate of Mailing by First Class Mail

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| I certify that this document and fee is being deposited on <u>Aug. 2</u> , 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. |
| _____ Signature of Person Mailing Correspondence |
| Michael F. Krieger |
| _____ Typed or Printed Name of Person Mailing Certificate |

*This certificate may only be used if paying by deposit account

Dated: Aug. 2, 2004

Signature
Michael F. Krieger
Registration No. 35,232
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Fax: (801) 321-4893

CC:



PATENT APPLICATION
Docket No: 12073.5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|----------------------|-------------------------|------------|
| In re application of | Michael J. Pratt et al. |) |
| | |) |
| Serial No.: | 10/824,894 |) Art Unit |
| | |) 3636 |
| Confirmation No.: | 7574 |) |
| | |) |
| Filed: | April 15, 2004 |) |
| | |) |
| For: | ERGONOMIC ROCKER |) |

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Mail Stop: DD
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be “prior art” within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record

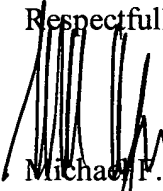
believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

Pursuant to 37 C.F.R. § 1.491(b), since this application was filed after June 30, 2003, copies of all U.S. patents and U.S. patent application publications listed on the Form PTO-1449 are not being submitted. However, copies of all other documents are being submitted.

Please credit any over payment or charge any additional fees to Deposit Account No. 500843 of the undersigned.

DATED this 2 day of August, 2004.

Respectfully submitted,



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Attorney for Applicant
Registration No. 35,232

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MFK:jrr

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| INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i> | | | | Docket Number (Optional) 12073.5 | | Application Number 10/824,894 | |
| | | | | Applicant(s) Michael J. Pratt et al. | | | |
| | | | | Filing Date April 15, 2004 | | Group Art Unit 3636 | |

| U.S. PATENT DOCUMENTS | | | | | | | |
|-----------------------|-----|-----------------|----------|-----------------|-------|----------|----------------------------|
| *EXAMINER INITIAL | REF | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
| | 1 | 4,200,332 | 04/29/80 | Brauning | 297 | 300.3 | 07/20/78 |
| | 2 | 5,131,717 | 07/21/92 | Kaminski et al. | 297 | 316 | 09/28/90 |
| | 3 | 5,261,723 | 11/16/93 | Hosoe | 297 | 344.14 | 07/27/92 |
| | | | | | | | |
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| U.S. PATENT APPLICATION PUBLICATIONS | | | | | | | |
|--------------------------------------|-----|-----------------|------|------|-------|----------|----------------------------|
| *EXAMINER INITIAL | REF | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
| | | None | | | | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|--------------------------|-----|-----------------|------|---------|-------|----------|-------------|----|
| | REF | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | Translation | |
| | | | | | | | YES | NO |
| | | None | | | | | | |
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| OTHER DOCUMENTS | | | (Including Author, Title, Date, Pertinent Pages, Etc.) |
|-----------------|---|--|--|
| | 4 | BackSaver Innovative Designs in Back Care and Comfort; The Bone Store; http://anngibson.com/BoneStore/back saver.htm 3 pgs; December 10, 2003 | |
| | 5 | How to Make Comfortable Rocking Chairs; Gary Weeks & Company; http://www.garyweeks.com/rocking_chair_comfortable.htm 4 pgs; December 11, 2003 | |

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|---|-----------------|
| EXAMINER | DATE CONSIDERED |
| <p><small>EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</small></p> | |

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| INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i> | | Docket Number (Optional) 12073.5 | | Application Number 10/824,894 | |
| | | Applicant(s) Michael J. Pratt et al. | | | |
| | | Filing Date April 15, 2004 | | Group Art Unit 3636 | |
| *EXAMINER INITIAL | | OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i> | | | |
| | | 6 Natural Posture Ergonomics - Bodybilt; Ergo Customized Comfort; http://www.ergocomfort.com/seating/npe.html ; 1 pg; December 10, 2003 | | | |
| | | 7 Ultra Recliners; KD Klein Design Inc.; http://www.kleindesign.com/ultrarecliners.htm ; 2 pgs; December 10, 2003 | | | |
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| EXAMINER | | DATE CONSIDERED | | | |
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